

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE GRAPHICS PROCESSING UNITS
ANTITRUST LITIGATION

Case No. M:07-cv-01826-WHA

MDL No. 1826

This Document Relates to:

ALL ACTIONS

~~PROPOSED~~ FINAL JUDGMENT

Hon. William H. Alsup

Having given final approval of the settlement agreement in this action (“the Agreement”) by and between Defendants ATI Technologies, Inc. (now known as ATI Technologies ULC), Advanced Micro Devices, Inc., AMD US Finance, Inc., and 1252986 Alberta ULC, Defendant Nvidia Corporation, and Plaintiff Class Representatives Jordan Walker and Michael Bensignor, d/b/a Mike’s Computer Services, both individually and on behalf of the class certified by this Court on July 18, 2008,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. As used in this Judgment the capitalized terms not otherwise defined herein have the meanings set forth in the Agreement.

2. The above-captioned action and each of the cases previously consolidated and/or included as part of MDL Docket No. 1826 are dismissed with prejudice as to all Defendants,

without costs (except as set forth in the Agreement).

3. Without affecting the finality of this Judgment, the Court hereby retains exclusive jurisdiction over (a) implementation of the Settlement; (b) any award or distribution of the Gross Settlement Fund or the Net Settlement Fund established pursuant to the Agreement, including interest earned thereon; and (c) all other proceedings related to the implementation and enforcement of the terms of the Agreement and/or the Settlement. The time to appeal from this Judgment shall commence upon its entry. Without limiting the generality of the foregoing, any dispute concerning the provisions of this Judgment, including but not limited to any suit, action or proceeding in which the provisions of this Judgment are asserted as a defense in whole or in part to any claim or cause of action asserted by any plaintiff or otherwise raised as an objection, shall constitute a suit, action or proceeding arising out of or relating to this Judgment. Solely for purposes of any such suit, action or proceeding, to the fullest extent possible under applicable law, the Defendants and the Class Members are deemed to have irrevocably waived and to have agreed not to assert, whether by way of motion, as a defense or otherwise, any claim, argument or objection that they are not subject to the jurisdiction of this Court or that this Court is in any way an improper venue or an inconvenient forum.

4. This Judgment is a final judgment in the Actions as to all claims among Defendants, on the one hand, and the Plaintiffs and all Class Members, on the other. This Court finds, for purposes of Rule 54(b) of the Federal Rules of Civil Procedure, that there is no just reason for delay and expressly directs entry of judgment as set forth herein.

IT IS SO ORDERED, ADJUDGED AND DECREED.

Dated: April 1, 2009

The Honorable
United States District Judge

